ITEM NO.21 COURT NO.9 SECTION XIA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil)...../2012
CC 7591/2012
(From the judgement and order dated 31/05/2011 in RCR No.174/2011
of the HIGH COURT OF KERALA AT ERNAKULAM)

K.A.NAFEESATHUL MISSIRIYA Petitioner(s)
VERSUS
MOHAMMED KUNHI & ANR. Respondent(s)

IA NO.1(c/delay in filing SLP)

Date: 04/05/2012 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE DEEPAK VERMA
HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA

For Petitioner(s) Mr. Siddhartha Dave, Adv.
Mr. A. Raghunath,A.O.R.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

Delay condoned.

After having heard learned counsel for the petitioner and perusal of the record, we are of the considered opinion that no case for interference against the impugned order is made out. Special leave petition is accordingly dismissed.

However, looking to the facts and features of the case and keeping in mind that the petitioner has been carrying on business in the suit premises for a considerable time, he is granted one year's time from today to vacate and handover peaceful and vacant possession of the suit premises to the Respondents-decree holder, subject to his filing usual undertaking in this Court within four weeks from today.

(A.D. Sharma) (S.S.R. Krishna)
Court Master Court Master